

**EXECUTIVE ORDERS, PROCLAMATIONS OF
GENERAL APPLICABILITY, AND STATEMENTS
ISSUED BY THE GOVERNOR
PURSUANT TO A.R.S. § 41-1013(B)(3)**

The Administrative Procedure Act (APA) requires the full-text publication of all Executive Orders and Proclamations of General Applicability issued by the Governor. In addition, the *Register* shall include each statement filed by the Governor in granting a commutation, pardon or reprieve, or stay or suspension of execution where a sentence of death is imposed. With the exception of egregious errors, content (including spelling, grammar, and punctuation) of these orders has been reproduced as submitted.

*** YOUTH ART MONTH ***

[M12-119]

WHEREAS, art education contributes powerful educational benefits to all elementary, middle, and secondary students including developing student's creative problem-solving and critical thinking abilities, and teaching sensitivity to beauty, order, and other expressive qualities; and

WHEREAS, art education gives students a deeper understanding of multi-cultural values and beliefs, reinforcing and bringing to life what students learn in other subjects; and

WHEREAS, art education interrelates student learning in art production, art history, art criticism, and aesthetics; and

WHEREAS, it has been acknowledged that art experiences are a necessary part of student education.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim March 2012 as

*** YOUTH ART MONTH ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this fifteenth day of March in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** ACCESS TO JUSTICE MONTH ***

[M12-126]

WHEREAS, as citizens we commit ourselves to the goal of equal justice for all; and

WHEREAS, promotion of access to justice for all Arizonans helps build public confidence in our legal system; and

WHEREAS, most of the clients for indigent legal services are women, and many of them are mothers or victims of domestic violence; and

WHEREAS, ensuring that persons who cannot afford lawyers are able to obtain representation helps to preserve families, to protect victims of crime, and to strengthen our communities; and

WHEREAS, many organizations and individuals – lawyers and non-lawyers – work valiantly to promote access to justice, and their efforts deserve our support and recognition; and

WHEREAS, we celebrate 100 years of Arizona's legal community and judiciary working to assure equal access to justice for all Arizonans.

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NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim April 2012 as

*** ACCESS TO JUSTICE MONTH ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this twenty-sixth day of March in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** ARMENIAN REMEMBRANCE DAY ***

[M12-127]

WHEREAS, throughout history, Armenians have suffered mournful losses of their population; and

WHEREAS, these needless losses have decimated the Armenian population; and

WHEREAS, those who survived have continued to hope and strive for a world free of the desire to destroy any single race of people; and

WHEREAS, traditional to the Armenian custom, April 24th has been designated as a day to remember and honor those Armenians who have lost their lives.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim April 24, 2012 as

*** ARMENIAN REMEMBRANCE DAY ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this twenty-sixth day of March in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** COWBOY POETRY WEEK ***

[M12-129]

WHEREAS, throughout the history of Arizona, cowboy and pioneer poets have played a large part in preserving western heritage and the culture of Arizona through oral and written poetry; and

WHEREAS, the long tradition and enduring qualities of these old stories and poems demonstrate that cowboy poetry is a cherished tradition in this State; and

WHEREAS, Arizona has produced numerous well-respected cowboy poets and has hosted major cowboy poetry events, including gatherings in Prescott, Sierra Vista, Payson, Wickenburg, and Tombstone; and

WHEREAS, recognizing the contributions of these poets dates as far back as the poets themselves and reflects the true culture, traditions and values of this great State.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim April 15 – 21, 2012 as

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* **COWBOY POETRY WEEK** *

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this twenty-sixth day of March in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

* **SEXUAL ASSAULT AWARENESS MONTH** *

[M12-123]

WHEREAS, sexual assault is a violent crime with devastating safety and health implications for every person in Arizona, be they a victim, a survivor or family member, loved one, friend, neighbor, or co-worker of a victim; and

WHEREAS, the Arizona Department of Public Safety indicates that in 2010, 1,557 rapes were reported to police, or one every five hours; and

WHEREAS, according to the U.S. Department of Justice, only 40% of sexual assaults are reported; and

WHEREAS, the Arizona Department of Education reports that among Arizona youth in 9th through 12th grades, 14% of girls and 7% of boys reported they were physically forced to have sexual intercourse against their will; and

WHEREAS, the Arizona Department of Health Services cites that the rate of hospital discharges for injuries related to sexual violence increased 49% from 2004 to 2010; and

WHEREAS, in addition to the immediate physical and emotional costs to victims, sexual assault may also have associated consequences of post-traumatic stress disorder, substance abuse, depression, homelessness, eating disorders and suicide; and

WHEREAS, through collaborative efforts, individuals, agencies, organizations and communities can work together to prevent sexual assault and support victims and survivors.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim April 2012 as

* **SEXUAL ASSAULT AWARENESS MONTH** *

and urge all citizens and communities to join me in this observance in order to create awareness and strive to achieve a state where sexual assault victims have a clear path to justice, and where citizens take personal responsibility to eliminate all forms of sexual violence.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this twenty-sixth day of March in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

* **WEEK OF THE YOUNG CHILD** *

[M12-128]

WHEREAS, the Arizona Association for the Education of Young Children (AzAEYC), an affiliate of the National Association for the Education of Young Children (NAEYC) along with Central, Southern, Mohave, Northern, Valley of the Sun,

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Verde Valley, and Yuma County affiliates, affiliate chapters and communities throughout Arizona are celebrating the Week of the Young Child: "Early Years are Learning Years"; and

WHEREAS, these organizations and communities are working to improve early learning opportunities, including early literacy programs that can provide a solid foundation of learning for all children in Arizona; and

WHEREAS, teachers and others who make a difference in the lives of young children in Arizona deserve thanks and recognition; and

WHEREAS, creating a family-centered, comprehensive, collaborative and high-quality early childhood system that supports the development, health and early education of all of Arizona's young children is crucial to our future.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim April 22 – 28, 2012 as

*** WEEK OF THE YOUNG CHILD ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this twenty-sixth day of March in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

EXECUTIVE ORDER 2011-05

State Regulatory Rule Making Review and Moratorium To Promote Job Creation and Retention

Editor's Note: This Executive Order is being reproduced in each issue of the Administrative Register until its expiration on June 30, 2012 as a notice to the public regarding state agencies' rulemaking activities.

[M11-234]

WHEREAS, my first official action as Governor was to institute a regulatory rule making review and moratorium process ("regulatory review and moratorium") in order to prevent additional and unnecessary burdens on our private sector employers and political subdivisions; and

WHEREAS, other states have since implemented regulatory reviews and moratoriums; and

WHEREAS, the economic climate in Arizona continues to challenge both those seeking employment and our employers, who are the key to increasing job opportunities in this State; and

WHEREAS, a predictable regulatory climate in this State will promote job creation and retention; and

WHEREAS, the Legislature enacted the regulatory review and moratorium for fiscal year 2009 - 2010 by passing House Bill 2008 in the 2009 Third Special Session; and

WHEREAS, the Legislature continued the regulatory review and moratorium for fiscal year 2010 - 2011 by passing House Bill 2260 in the 2010 Second Regular Session; and

WHEREAS, the current regulatory review and moratorium expires on June 30, 2011; and

WHEREAS, the expiration of the current regulatory review and moratorium could result in a regulatory explosion detrimental to job creation and retention in this State; and

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this State, hereby declare that for fiscal year 2011-2012 ending June 30, 2012, the following:

1. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any rule making except as permitted by this Order. The objective of this Order is eliminate any unnecessary increased monetary or regulatory costs on

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employers, persons, individuals, other state agencies, or political subdivisions of this State. This prohibition includes any informal rule making prior to the commencement of the formal rule making process.

2. Paragraph 1 does not apply to state agency rule making for any one or more of the following reasons:
 - a. To fulfill an objective related to job creation in this State.
 - b. To lessen or ease a regulatory burden while achieving the same regulatory objective.
 - c. To prevent a significant threat to the public health, peace or safety.
 - d. To avoid a violation of a court order or federal law that would result in sanctions by a court or federal government against an agency for failure to conduct the rule making action.
 - e. To comply with a federal statutory or regulatory requirement or a state statutory requirement if the applicable statute or regulation contains a date certain for compliance on or before December 31, 2012 or is necessary under subparagraph (c) of this Paragraph.
 - f. To fulfill an obligation related to fees or any other action necessary to implement the state budget that is certified by the Governor's Office of Strategic Planning and Budgeting.
 - g. To promulgate a rule or other item that is exempt from title 41, chapter 6, Arizona Revised Statutes, pursuant to section 41-1005, Arizona Revised Statutes.
 - h. To address matters pertaining to the control, mitigation or eradication of waste, fraud or abuse within a state agency or wasteful, fraudulent or abusive activities perpetrated against a state agency.
3. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any informal or formal rule making pursuant to Paragraph 2 or otherwise without the prior written approval of the Office of the Governor.
4. This Order applies to all state agencies, except for: (a) any state agency that is headed by a single elected state official, (b) the corporation commission, or (c) any state agency whose agency head is not appointed by the Governor.
5. All state officials and state agencies that are not subject to this Order pursuant to Paragraph 4 are encouraged to participate voluntarily within the context of their own rule making processes.
6. State agencies may continue a rule making that was authorized by the Office of the Governor on or after January 22, 2009. All state agencies, subject to this Order pursuant to Paragraph 4, shall report to the Office of Governor by July 29, 2011 all pending rule makings and any pending requests to the Office of Governor for rule making.
7. This Order does not confer any legal rights upon any persons and shall not be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or to any inaction of a state agency.
8. For the purposes of this executive order, "person", "rule" and "rule making" have the same meanings prescribed in section 41-1001, Arizona Revised Statutes.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix, Arizona this 30th day of June in the year Two Thousand Eleven and of the Independence of the United States of America the Two Hundred and Thirty-fifth.

ATTEST:
Ken Bennett
Secretary of State